

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

R.S.A.No.2374 of 2006

DATE OF DECISION: APRIL 3, 2007

Sewa Singh

...APPELLANT

VERSUS

Joga Singh and another

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Dr.M.S.Rahi, Advocate,
for the appellant.

...

This is defendants' Regular Second Appeal challenging the judgment and decree passed by both the courts below, whereby the suit of the plaintiff-respondent for permanent injunction restraining the defendants from disconnecting the electric connection bearing Account No. B-327, has been decreed.

The plaintiff got transferred the aforesaid electric connection on the basis of affidavit (Ex.P1) given by the appellant. It is the case of the appellant that he has not signed the said affidavit. The plaintiff by examining the scribe of the affidavit and the attesting witness, has proved the said affidavit. The courts below have recorded a finding of fact to the effect that the said affidavit was scribed by defendant No.1 in favour of the plaintiff. Though defendant No.1 is disputing his signatures on the affidavit (Ex.P1), but no evidence has been led by him to prove that the said affidavit did not bear his signatures. Since both the courts below after appreciating the evidence available on the record have recorded a concurrent finding that the affidavit (Ex.P1) was executed by the appellant, I do not find any ground to interfere in the said finding of fact.

No substantial question of law is involved in this appeal.

Dismissed.

April 3, 2007
vkg

(SATISH KUMAR MITTAL)
JUDGE